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ORIGINAL

**GUAM LAND USE COMMISSION
REGULAR MEETING MINUTES**



Department of Land Management Conference Room
ITC Building, Tamuning



Thursday, June 25, 2015
2:00 p.m. to 3:00 p.m.

GUAM LAND USE COMMISSION

Thursday, June 25, 2015

Department of Land Management Conference Room
ITC Building, Tamuning

MEMBERS PRESENT:



Mr. Lawrence Rivera, Chairman

Mr. John Arroyo, Vice Chairman

Ms. Beatrice "Tricee" Limtiaco, Commissioner

Ms. Conchita Bathan, Commissioner

Mr. Victor Cruz, Commissioner

Mr. Tae Oh, Commissioner

Mr. Michael Borja, Executive Secretary

Ms. Kristan Finney, Legal Counsel



STAFF PRESENT:

Mr. Marvin Q. Aguilar, Guam Chief Planner

Mr. Penmer Gulac, Planner IV

Ms. Jeffrey Baker, Planner II

Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

Date of Meeting: Thursday, June 25, 2015

Time of Meeting: 2:10pm

<input checked="" type="checkbox"/>	GLUC	<input type="checkbox"/>	GSPC
<input checked="" type="checkbox"/>	Regular	<input type="checkbox"/>	Regular
<input type="checkbox"/>	Special	<input type="checkbox"/>	Special
<input checked="" type="checkbox"/>	Quorum	<input type="checkbox"/>	Quorum
<input type="checkbox"/>	Non-Quorum	<input type="checkbox"/>	Non-Quorum

COMMISSION MEMBERS

SIGNATURE

Lawrence S. Rivera, Chairman

John Z. Arroyo, Vice Chairman

Conchita D. Bathan, Commissioner

Beatrice P. Limtiaco, Commissioner

Victor F. Cruz, Commissioner

Tae S. Oh, Commissioner

Vacant, Commissioner

[Handwritten signatures in blue ink on lined paper]

Michael J.B. Borja, Executive Secretary

Kristan K. Finney, Legal Counsel

Marvin Q. Aguilar, Chief Planner

Frank Taitano, Planner IV

Penmer Gulac, Planner IV

Celine Cruz, Planner IV

Jeff Baker, Planner II

M. Cristina Gutierrez, WPS II

[Handwritten signatures in blue ink on lined paper]

ADJOURNMENT: 3:00pm

Speakers Sign-In Record

**Location: Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning**

<input checked="" type="checkbox"/>	GLUC	<input checked="" type="checkbox"/>	Regular	Date:	Thursday, June 25, 2015
<input type="checkbox"/>	GSPC	<input type="checkbox"/>	Special	Time:	2:10 pm
<input checked="" type="checkbox"/>	Quorum	<input type="checkbox"/>	No Quorum	Adjournment:	3:10 pm

(THIS RECORD WILL BE USED IN THE TRANSCRIPTION OF THE GLUC/GSPC MINUTES. PLEASE PROVIDE

[illegible]

Public Attendance Record

<input checked="" type="checkbox"/>	GLUC	<input checked="" type="checkbox"/>	Regular	Date:	Thursday, June 25, 2015
<input type="checkbox"/>	GSPC	<input type="checkbox"/>	Special	Time:	2:00 pm
<input checked="" type="checkbox"/>	Quorum	<input type="checkbox"/>	No Quorum	Adjournment:	2:00 pm

GLUC Form 21 - GLUC Public Attendance Record Form - APRIL 2010

Guam Land Use Commission Regular Meeting Minutes
Department of Land Management Conference Room
Thursday, June 25, 2015 • 2:00 p.m. to 3:00 p.m.

I. Notation of Attendance

Chairman Rivera called the regular meeting of the Guam Land Use Commission for Thursday, June 25, 2015 to order at 2:00 p.m.; noting a quorum.

Present were: Chairman Lawrence Rivera, Vice Chairman John Arroyo, Commissioners Victor Cruz, Tae Oh, Conchita "Chit" Bathan, Tricee Limtiaco, Executive Secretary Michael Borja, Legal Counsel Kristan Finney, Guam Chief Planner Marvin Aguilar, Planning Staff Penmer Gulac, Jeffrey Baker and Cristina Gutierrez.

[NOTE: Late start for today's meeting was due to fire alarm activation which resulted in the evacuation of the building.]

II. Approval of Minutes

Chairman Rivera our second item is the approval of the minutes for regular Land Commission meeting of Thursday, June 11, 2015. Commissioners, you've had a chance to look at the minutes.

Commissioner Limtiaco Mr. Chair, I move to approve the Minutes of the GLUC's regular meeting for Thursday, June 11, 2015 pending any changes or additions to be emailed to our Recording Secretary by end of business day today.

Chairman Rivera okay, motion for approval by Commissioner Limtiaco; second?

Commissioner Oh I second.

Chairman Rivera any discussion; if not, we'll go ahead and vote. All in favor of the approval of the Minutes say "aye" [**Chairman Rivera, Vice Chair Arroyo, Commissioners Limtiaco, Oh, Bathan and Cruz**], all opposed say "nay."

[Motion to approve the GLUC Minutes for June 11, 2015 was passed unanimously; 6 ayes, 0 nay]

III. Old or Unfinished Business [None]

IV. New Business [None]

V. Administrative and Miscellaneous Matters

Conditional Use/Renewal

- A. The Applicant, BME & Sons Inc.; submits its first annual report and renewal request for a conditional use permit for its temporary workforce housing on Lot 5223-R9-3, in the Municipality of Barrigada, in an "M1" (Light Industrial) zone, under Application No. 1997-23C. Case Planner: Penmer Gulac

Marvin Aguilar reads the supplementary staff report to include purpose, facts, staff analysis/discussion, conclusion, recommendation and conditions. [For full content/context of the report, please refer to Attachment A.]

In addition, Chief Planner Aguilar read for the record documents submitted by the Applicant; (1) Letter from the Office of the Barrigada Mayor; (2) Letter of Authorization – BME; (3) Request for Renewal from BME; and, (4) Map of subject property location.

**[For full contents/context of abovementioned documents refer to Exhibits 1 thru 4]
[Attachment A – Supplementary Staff Report dated June 15, 2015]**

Chairman Rivera any questions for staff?

Commissioner Limtiaco Mr. Aguilar, did BME make the initial, the first initial application or did BME buy this, did they take over.

Marvin Aguilar my understanding is they took over the facility.

Commissioner Bathan from MDCI.

Marvin Aguilar MDCI was in 1997 and then BME

Commissioner Bathan so it was MDCI. Do we have a number of H2 workers that we approved for their existing barracks at that time when it was still owned by MDCI? Was it 86 or

Penmer Gulac what we're approving for is 117.

Marvin Aguilar 117, but I don't think it was a rollover from MDCI. I think this is a new number from ... and perhaps Mr. Natividad can expound on this.

Penmer Gulac there's a barrack's layout here and they're basically approved for up to 117; but, they can expand up to 130. Per inspection of Public Health, dormitory inspection, they can go up to that number but just to make sure that they allow for renovation of the facility in that barracks to accommodate more quarters.

Commissioner Limtiaco so Pen, two years ago this Commission approved up to 117?

Penmer Gulac 117, but the number is really up to 130 because that's how much the barracks can accommodate. Right now on hand they have 91 H2 works.

Commissioner Limtiaco 91? Are you sure it's not 86 like the worker's permit says?

Commissioner Bathan I cannot see the total number of workers that we approved that's why I was asking.

Marvin Aguilar perhaps Mr. Natividad can explain.

Danny Natividad (Chief Operations Officer, BME & Sons) we have total 91 right now because we have five more workers that came in last Sunday.

Commissioner Bathan so, did you get a new permit from Public Health that allows you to add more because the permit that's here the maximum is 86.

Danny Natividad yes.

Vice Chair Arroyo you said the workers, the five new workers came in on Sunday?

Danny Natividad not this Sunday, last Sunday or two weeks ago.

Vice Chair Arroyo can you provide us with the new permit increasing the number?

Danny Natividad yes.

Commissioner Cruz do you have it with you?

Danny Natividad no, I don't.

Penmer Gulac they normally come in for an amendment of the numbers and we just review it and endorse it.

Commissioner Bathan I have a question. Our NOA says you can go up to 130, but why does the applicant say that the maximum is 86. Why is there a discrepancy in the figure of Land Management and Public Health as to the maximum capacity?

Marvin Aguilar I think what they're doing is they're responding to what the operator is presenting at the time when the sanitation permit is being processed. So, if they're saying two weeks ago they had 89 workers, they're going to inspect for 89. And that gets amended as it proceeds for the additional. And that occurs throughout the year just as long as they don't go over the max which the Commission controls.

Chairman Rivera also your expiration is June 30th. You'll be renewing this right, your worker's dormitory permit.

Penmer Gulac they had their re-inspection and so they're just pending reissuance; there's just a backlog in permit renewals at Public Health...sanitation permits.

Chairman Rivera so maybe at that time when that final thing a more clear number to include that five.

Marvin Aguilar as well for sanitary permits for these facilities they have a section of their permit application to ask specifically if they received GLUC approval. So apparently, this has to happen prior for them to proceed forward with the permit for the additional workers.

Commissioner Bathan also I think if we will approve the renewal of their application I think we should include the total number of workers because it's tied into the NOA.

Marvin Aguilar oh, we did already. It didn't give you a number, and I think it was more just the way the number is based on the initial application. But as well, whatever the facility capacity is for maximum capacity which was ...

Penmer Gulac up to 130.

Chairman Rivera we can approve it based on the maximum facility that's all they can hold.

Penmer Gulac sometimes they come in ... the workers don't come in and then some have to exit. So, a new batch comes in and so it's changing.

Chairman Rivera well, the package was complete.

Commissioner Bathan I have a question though. On the ground floor plan of the barracks it shows there's a wash area. Is it a laundry area or a wash area for them to wash their dishes or lunch boxes. Is there a laundry facility in the barracks because it's one of the items in the Resolution that we have; 5F, laundry services. Is there a laundry in your barracks, your facility?

Danny Natividad the wash area under the stairs this is for washing their plates.

Commissioner Bathan not for laundry [Mr. Natividad responds "no."] So, where do they do their laundry?

Danny Natividad they have another wash area here where the washing machines and dryer on the other side.

Commissioner Limtiaco where is that on the plan?

[Mr. Natividad points out to the Commissioners the location of the laundry facility on the site plan]

Commissioner Cruz so the one below the stairs is what?

Danny Natividad where they wash their plates.

Penmer Gulac there's a lot of room for expansion in this facility because it's a large lot. And I believe in the future they're going to request for expansion for another barracks facility because there are more projects coming in. That's to be expected in the near future.

Commissioner Oh how many individuals share in one room; how many individuals occupy one room?

Danny Natividad there are rooms that has four, there are rooms that have three. Right now they're not fully occupied so there are rooms that there are only two persons.

Commissioner Oh maximum is four. [Mr. Natividad responds "yes."]

Chairman Rivera any other questions?

Commissioner Bathan except for landscaping I think they can ... since they have a big lot as you mentioned, they have a big property I hope they can plant more trees.

Chairman Rivera they want you to do more green; avocado tree try to kinda spruce up your landscaping.

Commissioner Cruz it should look nice.

Penmer Gulac good thing there is a fence.

Commissioner Bathan there's a fence right?

Danny Natividad yes it's fenced all around, and at the back we plant some vegetables like tomatoes, pechay, eggplant.

Commissioner Bathan what about your food. How do you provide food to your workers?

Danny Natividad we have two cooks and we have a galley that they prepare the food in the early morning, and then they have their

Commissioner Bathan so, it's done within the facility.

Danny Natividad yes, within the facility.

Commissioner Limtiaco the only thing I'm worried about is this is supposed to be a renewal and I don't see the conditions of the previous approval.

Penmer Gulac it's in the previous NOA, it's attached.

Commissioner Limtiaco in the supplemental you have the ARC, 24-months, and it says, number 3, the applicant shall adhere to all provisions of the GLUC Resolution 2009-01, paragraphs 5B thru F.

Penmer Gulac it's in the applicant's submittal.

Commissioner Bathan how did you comply with the security requirement?

Danny Natividad we have a perimeter fence and a gate and that is secured up to ten o'clock in the evening.

Commissioner Bathan do you have barracks rules and regulations.

Danny Natividad yes, we have.

Commissioner Bathan could you provide that to staff.

Commissioner Limtiaco you also have a letter from American Medical Center. You've been using American Medical Center?

Danny Natividad yes, that's our facility for the workers.

Commissioner Bathan what about beyond the clinic hours? Because here it says Monday thru Friday, 8:00 am to 9:00 pm, Saturday from 9:00 am to 5:00 pm. So on Sundays or beyond the clinic's working hours do you have any alternate facility?

Danny Natividad the hospital, GMH.

Commissioner Bathan I guess now they have an alternate other than GMH right; Medical City. If I remember correctly the reason why we asked them to give us a medical plan is because we don't want them to go to the hospital; be a burden to GMH.

Marvin Aguilar it's just unfortunate that most private clinics will defer you to go to GMH.

Chairman Rivera and I noticed most of the temporary workers' housing go to just clinics around.

Commissioner Limtiaco Mr. Chief Planner, as far as our required maximum capacity for previous action, can you be a little bit more on what that number was. Was it 130?

Penmer Gulac 130 is the maximum for that facility. There are two structures there; the large two-storey and then one-storey building that's 30 max for that converted structure that used to be the administrative office. And the butler building can hold up to 100 if it's configured for living quarters.

Commissioner Limtiaco Commissioners, my concern with the numbers, the general concern of the numbers for the temporary work force housing is the general overall maximum number. We're always trying to track that and figure out who's following out of the list and who's trying to come back in, and make sure it's always balanced. So, they're not asking for anymore than what we approved and that's a maximum of 130.

Penmer Gulac no.

Marvin Aguilar when BME took over it expired for how many ...

Commissioner Limtiaco I remember it had lapsed, the approval had lapsed.

Marvin Aguilar and that's why the application is a 1997 application.

Penmer Gulac 1997-23; they found it was expired when they bought the property in 2013.

Commissioner Limtiaco you know, good on you for coming in here. I don't have anymore questions. Do we have any conditions that we need to set forth?

Marvin Aguilar ma'am, if I may. Whatever decision the Commission makes we can insert that number. We can go back and re-inspect and do an actual count. But, if I may I would like to do actual counts based on the Public Health requirements for each room and perhaps maybe it will be total max per ... capacity for each quarter.

Commissioner Limtiaco but to exceed 130.

Marvin Aguilar I'm going to go ahead and get an actual.

[Brief discussion continues on the maximum capacity for the facility.]

Marvin Aguilar the number that they're proposing, my understanding is 130 based on current or existing facility. I don't know, maybe Mr. Natividad can answer that for each unit the 130 is based on four people per each unit.

Danny Natividad yes.

Commissioner Bathan I believe for one worker there's a minimum of 50 square foot and then they also consider the number of restrooms.

Marvin Aguilar yes ma'am that's a sanitary permit requirement. Either they can restrict by the Guam Land Use Commission that way or through the Department of Public Health.

Commissioner Bathan just make sure that we are within that ...

Marvin Aguilar the threshold...yes ma'am.

Commissioner Limtiaco there's 36 rooms and I think that's the two-storey dormitory right. And then I think there's an additional dormitory with 30, and so that's brings it to 134; so, maximum of 134 or based on your count.

Marvin Aguilar yes ma'am or we can keep them at 130.

Commissioner Limtiaco again it's all about also this Commission keeping the approved temporary workforce housing statistics.

Chairman Rivera okay, alright ... so we're ready.

Commissioner Bathan (correct me if I miss something because of the numbers) I move to approve the request for renewal of temporary workforce housing conditional use under Application No. 1997-23C by BME & Sons for maximum number of temporary workforce that will be established by Land Management after another inspection; and submit to 24 months of renewal.

Commissioner Limtiaco annual ---

Marvin Aguilar they've completed their 24-months.

Commissioner Bathan (amended to) annual renewal. And also to submit the Public Health's documentation and the workforce house rules and regulations.

Marvin Aguilar if I may clarify. The annual renewal date will be based on the recordation of the Notice of Action.

Commissioner Bathan yes.

Chairman Rivera okay motion for approval as indicated by Commissioner Bathan.

Commissioner Limtiaco I second.

Chairman Rivera second by Commissioner Limtiaco. Any discussion?

Commissioner Limtiaco no, but prior to us voting I would really like to thank the applicant for coming on time. Thank you so much....before you expired, we really appreciate it.

Chairman Rivera motion for approval by Commission Bathan, second by Commissioner Limtiaco; all in favor of the motion for approval say “aye” **[Chair Rivera, Vice Chair Arroyo, Commissioners Bathan, Limtiaco, Cruz and Oh]**, all opposed say “nay.”

[Motion to approve Application No. 1997-23C was passed unanimously; 6 ayes, 0 nay.]

Chairman Rivera sir good luck.

Danny Natividad thank you so much Mr. Chairman and Commissioners.

Chairman Rivera what's our next agenda? No new business? Just administrative and miscellaneous? Before we jump in we have a report here for the request for parking you've seen that right.

Marvin Aguilar if I may; this is Mr. Jeffrey Baker, he's our new Planner with the Division.

Commissioner Limtiaco hi Jeff, welcome aboard.

Vice Chair Arroyo I'm sorry...Jeff, could you just give us a little bit of your background.

Jeffrey Baker for the last nine years I've been living in Japan. I came over initially as an English teacher and landed a job with a private contractor company doing ship repair for United States Navy vessels. Did that for about three years before I decided to move here to Guam because I had this job lined up. I hail from Virginia mostly when I was stateside. Son of a diplomat so I moved around a lot, but basically I call northern Virginia my home and I also lived in Richmond for five years before I came back to Japan about ten years ago.

Chairman Rivera I know Planning needs staff. I know they need help so welcome aboard. I was one [sic] of the issue I had or the concern that I had to the Director was hey, we're taking our Planning staff to do a lot of Chamorro Land Trust work. So, make sure you either fill that position or don't overwork them, but you're here and so that will help them. He did mention that he was looking into filling those positions which he did.

Michael Borja well, just to let you know this position is funded by the Chamorro Land Trust.

Marvin Aguilar so, you have a response from ITC ... we inquired with ITC based on your direction. And we received this letter dated June 22, 2015 **[Refer to Exhibit 5]**. I had Mr. Baker go out there and verify these numbers that they put together. He found, according to his report back to me, they do exceed the parking requirement. The numbers maybe a little off, but total numbers they're accommodating the needs of the building. My opinion on issues that we've been having with parking perhaps is of how parking is available for those who come to use the services in the ITC Building, and also how they can accommodate the customer service for what I call in/out services like the Guam Police Department, folks coming into Land Management; there's just a constant carousel of people coming in and it's just difficult to find parking in that

respect. And unfortunately, the parking lot does not identify that type of customer activity. It does identify area per customers for a given facility, but not the high turnarounds that we experience at ITC Building. That on top of where the ADA parking areas are located that's another challenge with the ITC Building just because it's design. According to Mr. Lars Hellmont they continue to work with the folks at DISID particularly with Mr. Ben Servino in finding ways to accommodate, not just to accommodate ADA parking but to provide preferred strategic locations for this type of parking. But otherwise, a lot of complaints come from folks not wanting to park too far to the building. And as you can see the parking other than that which is internal to the building it's spread out and it's lateral all the way out to the next block.

Commissioner Bathan is there signage that they can park there? Maybe they don't know...

Marvin Aguilar they have designated parking per each agency, and those parking stalls are, the way I understand it if you take an agency part of their lease includes "x" amount of parking stalls. Sir, maybe you can answer this. The parking stalls that we asked for our needs is something like 63.

Michael Borja 68.

Marvin Aguilar 68 for the Department of Land Management.

Commissioner Bathan how many employees does the department have?

Michael Borja 60.

Commissioner Cruz the question I have is you put there for every unit square foot this is customer. I don't see any calculation here for employees. Remember for those other places we always say how much is your customer parking and how much is your employee parking. Department of Land Management they give them 60 parking for 60 employees. Where are the parking for the customers that come in? When I drive around this building I see some of them no parking fifty dollars. Who owns that parking stall?

Marvin Aguilar the ITC.

Commissioner Cruz so, is that the ITC the office or ITC the entire building.

Michael Borja the management. They just have it allotted so they're ... it's reserved.

Commissioner Cruz because the parking law says you have to provide that.

Marvin Aguilar yes sir and they have. It's just that again the customer service behavior; ITC giving out, given all the agencies, different ... the number of customers coming ... it says the minimum requirements provided on the parking lots. So yes, they make the parking

requirements, but they're trying to accommodate the issues that they're having now with the level of customers coming into the building.

Commissioner Lintiaco so Mr. Chief Planner, if I'm reading this correctly, you have the ITC building parking summary where the grand total is 522 stalls that have been allotted. And when I read Page 3 it's ITC Building parking stall inventory, not the summary but the inventory; and it says here, as Mr. Baker counted, he counted 808 stalls.

Marvin Aguilar yes ma'am.

Michael Borja what you have here is agencies such as the Office of the Attorney General they may only have 105 positions that's allotted to them they have like a 160 people, so there's a shortage there. This is based on the square footage that they're occupying.

Commissioner Cruz and what I'm trying to say that I hear people complain because the Office of the Attorney General for example is whenever you're going to go there you can't park unless you go to all the way outside. What I'm trying to inquire is out of this how many of those just for their officers and their employees??

Michael Borja yes.

Commissioner Cruz inside the building? So every private guy goes outside the building? Every customer or everybody that they service they have to park outside the building??

Marvin Aguilar yes, that's how they have it set up right now.

Commissioner Cruz even some of the vendors here they pay for the parking stall inside.

Michael Borja vendors? No. What vendor?

Commissioner Cruz yes, I asked the vendors! I asked the Panasonic guy down there. He said those parking stalls I pay for those.

Marvin Aguilar that's part of their lease. Just like any other entity in the building they're lease includes an "x" amount of parking.

Commissioner Cruz you know one of the biggest complain (sic) when they shut down the administration down there. It housed the Treasurer of Guam. And here the Treasurer of Guam here and so that's the biggest complain (sic) is sometime they have to go all the way here to get parking just to come this way.

Commissioner Oh the issue here is basically, by the Code, this is the minimum parking they need to provide. But in actuality in practice that's not happening. The number of customers exceeds what the minimum amount provided by Code calls for. That's the issue.

[Lengthy discussion continues on the issue with ITC parking. Commission's discussion included off-street parking, designated loading/unloading zone. Chief Planner Aguilar suggested that ITC could look into a one way in, one way out flow. ITC is in the process of paving their additional auxiliary parking area towards the rear of the building. Discussion also included the number of street parking, right-of-way easement, ADA parking requirements and location of the ADA parking within the building. In closing, Vice Chair Arroyo suggested that we go back to ITC and have them recalculate the parking numbers to include employee parking. The Commission wants the report to be accurate so that it is reflected in the Minutes.]

Chairman Rivera any other matters? Administrative matters?

Commissioner Oh are we going to discuss Decha?

Marvin Aguilar we're still crafting.

Michael Borja I had a discussion with Mr. Adkins this morning because he seems to have really acquired the property for another purpose and that was to do a land transfer which I kind of gave him my opinion on that land transfer. And so he kind of left with a big frown, but I still mentioned to him and asked him do you want to talk ... which one are we talking about the zoning or the land transfer. I don't know what he's going to do.

Commissioner Cruz the question is why don't you take advantage what they call the southern housing bond. That's been brought up a year ago because most of the constructions are up north. There is a law for that, southern housing bond.

Chairman Rivera is there any other discussion; if not, let's move to Item number 6.

VI. **Adjournment**

Commissioner Bathan motion to adjourn.

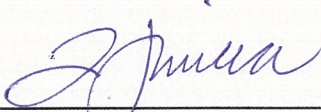
Commissioner Limtiaco I second.

Chairman Rivera motion by Commissioner Bathan, second by Commissioner Limtiaco; with all in favor.

The regular meeting of the Guam Land Use Commission for Thursday, June 25, 2015 was adjourned at 3:00 p.m.

Approved by:

Transcribed by:



Lawrence S. Rivera, Chairman
Guam Land Use Commission



M. Cristina Gutierrez, Pro Tem
DLM, Planning Division

Date approved: August 13, 2015



GUAM LAND USE COMMISSION

Chairman Lawrence S. Rivera
Vice Chairman John Z. Arroyo
Commissioner Conchita D. Bathan
Commissioner Tricee P. Limtiaco

Commissioner Victor F. Cruz
Commissioner Tae S. Oh
Commissioner, Vacant

Michael J.B. Borja, Executive Secretary
Kristan Finney, Assistant Attorney General

AGENDA

Regular Meeting

Thursday, June 25, 2015 1:30 p.m.

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

I. **Notation of Attendance** [] Quorum [] No Quorum

II. **Approval of Minutes**

- GLUC Regular Meeting of Thursday, June 11, 2015

III. **Old or Unfinished Business [None]**

IV. **New Business [None]**

V. **Administrative and Miscellaneous Matters**

Conditional Use/Renewal

- A. The Applicant, BME & Sons, Inc.; submits its first annual report and renewal request for a conditional use permit for its temporary workforce housing on Lot 5223-R9-3, in the Municipality of Barrigada, in an "M1" (Light Industrial) zone, under Application No. 1997-23C.
Case Planner: Penmer Gulac

VI. **Adjournment**

ATTACHMENT A



EDDIE B. CALVO
Governor

RAY TENORIO
Lieutenant Governor

DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guahan)



MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

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Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

June 15, 2015

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members

FROM: Guam Chief Planner

SUBJECT: Supplemental Staff Report – Request Renewal of Temporary Workforce Housing Facility (TWHF); Conditional Use – Application No. 1997-23C; GLUC Meeting: June 25, 2015

1. PURPOSE:

Application Summary: BME & Sons, Inc. request for review and renewal for the continued operation of Temporary Workforce Housing Facility in an "M-1" (Light-Industrial) Zone, Lot 5223-R9-3, Municipality of Barrigada.

A. Legal Authority: Title 21 GCA, Chapter 61 Zoning Law, Conditional Uses; Section 61309, and Public Law 31-07 (Policy for Workforce Housing Facility for Temporary Workers; and GLUC Resolution No. 2009-01 Applicable to Temporary Workers Housing Facilities (TWHF).

2. FACTS:

A. Location: The subject lot is located across (west) of Perez Brothers quarry and fronting an unnamed public access and approximately 500 feet north off Route No. 16 in Barrigada (See attached VIC map).

B. Lot Area Size: The total area size is 4,934 square meters or 53,109 square feet; approximately 1.219 acre.

C. Present Zoning: "M-1" (Light-Industrial) zone

D. Masterplan: Residential – Low Density

Supplemental Staff Report; Temporary Workers Housing Facility
June 15, 2015

Ref: Renewal of Conditional Use ; Lot 5223-R9-3, Barrigada
Application No. 1997-023C (BME & Sons, Inc.)

Page 2

E: Previous Commission Action(s): Conditional Use Permit for Temporary Workers Housing Facility

1. October 7, 1997 (TWHF) Approved (NOA on File), Expired July 7, 1998 (9 months).
2. July 25, 2013 (TWHF) (Approved (NOA of File)

Note: 1. The approval on July 25, 2013 was thru August 8, 2015; 24 months (2 years) and renewal annually thereafter. During the period, the applicants have been complying to all GLUC and ARC conditions and have good standing in the community.

3. DISCUSSION:

On May 14, 2015, BME& Sons, Inc., submitted a letter of request for renewal of their Conditional Use (Ref 1997-023B) that will expire on August 5, 2015, per recorded Notice of Action recorded on August 8, 2013 and reporting that they have complied with all Notice of Action (NOA), Application Review Committee (ARC) conditions, GLUC Resolution 2009-01 and have maintained good standing in the community, no complaints/problems or negative impacts of their operations, and have been proactive in the community civic action projects and village mayor's projects as well as a good neighbor in the immediate area. The Mayor of Barrigada letter of support was attached to the renewal request.

On June 4, 2015; Planning Staff conducted a site inspection and found the facility to be in compliance with all NOA, ARC, conditions of the initial July 25, 2013 commission approval as well as GLUC Resolution 2009-01;

The site/area/yard is well maintained. The approved living quarters, kitchen, toilets, showers, accessory support rooms (medical room), recreation area were all clean and has met recent sanitary inspection by public health. All dormitory and sanitary permits are still current through June 30, 2015. New permits issuance are pending receipt due to public health administrative backlog for 2015-2016. The subject property is fenced for security purposes, the company activities observed on site to be routine, passenger van loading to site projects and administrative site office and support operations on going. No significant impacts of on-going activities in the immediate area observed or noted during staff inspection.

Supplemental Staff Report; Temporary Workers Housing Facility

June 15, 2015

Ref: Renewal of Conditional Use ; Lot 5223-R9-3, Barrigada
Application No. 1997-023C (BME & Sons, Inc.)

Page 3

The company operations at the site are in good order and that the company has been a good neighbor and hires local residents and temporary foreign workers, their continued efforts in improving the landscape of the property is not negatively detrimental to the surrounding community; an active civic action/community partner, with many ongoing projects both short and long term, are for the improvement of infrastructure and to help improve and sustain the quality of life for our community, and also the military expansion on our island. Hence, with the company's operation of the temporary workers facility on the property and a myriad of activities at an ever increasing level, the increase of employees (local and off-island hires) to support on-going community and military projects, the company is to be commended for their efforts, and have continued to positively contributed to the increase of the island's economic tax base and is positioned to meet future challenges and is indicative to be a permanent and critical asset to the economic prosperity of our island.

RECOMMENDATION: Having complied with previously approved conditional use n conditions imposed by the Guam Land Use Commission, and based on the above, planning staff recommends Approval of the applicants request for renewal and continuation of a Temporary Workers Housing Facility, with all ARC conditions still applicable and in force and must continue adhering to all remaining conditions imposed by the commission and GLUC Resolution 2009-01.



MARVIN Q. AGUILAR
Guam Chief Planner

Attachment: Letter from BME & Sons, MPC Letter & Mayor's Letter of Support,
Project listings, NOA;s noted

Case Planner: Penmer C. Gulac, Planner IV

DEPARTMENT OF LAND MANAGEMENT

LAND PLANNING DIVISION

SITE INSPECTION REPORT - FIELD WORK

Planner/Staff: <i>P. Gula</i>	Date of Request: <i>5/28/15</i>
Date of Inspection: <i>6/4/15</i>	Time of Inspection: <i>8:00 AM</i>
Project Name: <i>BME Barracks - Bartigada</i>	
Lot Number: <i>5223-R9-3</i>	Municipality: <i>Bartigada</i>
Description: <i>Inspection of Temporary Workers Housing Facility - (2) Bldgs A.. (2) Storey Bulfin structure and (B) Concrete structure</i>	
Ref. <i>GLUC Resolution 2009-01 / GLUC NOA (7/25/2013)</i>	
Type of Inspection: <input type="checkbox"/> Occupancy <input type="checkbox"/> Site <input checked="" type="checkbox"/> Other	
Contact Person: <i>BME / Danny Natividad</i>	Phone: <i>632-3332</i>
Findings: <i>Facility Barracks are clean inside and outside: living areas, showers, toilets, kitchen, Pantry. The site is well organized, perimeter fence, and entrance gate for security of site. Facility has been inspected by Public Health, Fire Department - Passing all requirements. Sanitary Permit</i>	
OCCUPANCY INSPECTION ONLY: <input type="checkbox"/> IN COMPLIANCE <i>Dormitory Permit Pending issuance due to DPASS</i> <i>NOTE: All GLUC NOA REQUIREMENT & Conditions complied with. <i>PG</i></i> <input type="checkbox"/> NOT IN COMPLIANCE <i>back log.</i> <i>GLUC RES 2009-1</i>	
ATTENTION: All inspection must be approved three (3) days in Advance by Guahan Chief Planner.	
Applicant: <i>BME Sosis INC.</i>	<i>Recommend Approval for renewal. <i>PG</i></i>
Case Planner: <i>Dennis Gula</i>	Approved <input checked="" type="checkbox"/> <i>Frank Infante</i> for. Guahan Chief Planner

Revised: March 2010

Island of Guam, Government of Guam
Department of Land Management Officer of the Recorder

File for Record is Instrument No. 854900

On the Year 13 Month 08 Day 05 Time 3:55

Recording Fee DE-OFFICIO Receipt No.

Deputy Recorder Jane Yoneda

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change***."

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

COPY

NOTICE OF ACTION

July 25, 2013

Date

To: **BME & Sons Inc.**
Represented by **FC Benavente Planners**
c/o #127 Bejong St.
Barrigada, Guam 96913

Application No. 1997-23B

The Guam Land Use Commission, at its meeting on July 25, 2013.

 / Approved / Disapproved XX / Approved with Conditions

Your request on Lot No. 5223-R9-3, Municipality of Barrigada for renewal for a previously approved conditional use in order to continue operations for a Temporary Workforce Housing Facility (TWHF) on Lot 5223-R9-3, in the Municipality of Barrigada, in an "M1" (Light Industrial) zone.

NOTICE OF ACTION

BME & Sons, Inc.

Represented by FC Benavente Planners

Lot No. 5223-R9-3, Municipality of Barrigada

GLUC Meeting of July 25, 2013

Date of Preparation of NOA: July 25, 2013

Page 2 of 8
4 PL

Application No. 1997-23B

ZONING

☐/ Zone Change***

**XX/ Conditional Use - Temporary WorkForce
Housing Facility in an "M-1" (Light-
Industrial Zone**

☐/ Zone Variance

☐ Height

☐ Use

☐ Density

☐ Other (Specify)

☐ Setback

SUBDIVISION

☐/ Tentative

☐/ Final

☐/ Extension of Time

☐/ PL 28-126, SECTION
1(A)

NOTE ON ZONE CHANGE

*****Approval by the Guam Land Use Commission of a ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]**

SEASHORE

☐/ Wetland Permit

☐/ Seashore Clearance

HORIZONTAL PROPERTY REGIME

☐/ Preliminary

☐/ Final

☐/ Supplementary (Specify)

MISCELLANEOUS

☐/ Determination of Policy
and/or Definitions

☐/ Other (Specify)

NOTICE OF ACTION

BME & Sons, Inc.

Represented by FC Benavente Planners

Lot No. 5223-R9-3, Municipality of Barrigada

GLUC Meeting of July 25, 2013

Date of Preparation of NOA: July 25, 2013

Page 3 of 5
4 PB

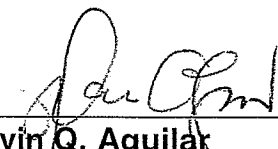
Application No. 1997-23B

APPLICATION DESCRIPTION: The Applicant, BME & Sons, Inc., represented by Mr. FC Benavente is requesting approval and previously approved Conditional Use Permit to continue operations of a Temporary Workforce Housing Facility (TWHF) in "M-1" (Light-Industrial) zone, on Lot No. 5223-R9-3, Municipality of Barrigada.

COMMISSION DECISION: The Guam Land Use Commission **APPROVED THE APPLICATION WITH CONDITIONS;**

Reference Conditions as Noted on Planning Staff Reports/Memorandum, dated July 3, 2013)


1. **Applicant shall comply with all requirements and conditions and any concerns imposed by government agencies and other mandates in their development plans;**
2. **Initial approval shall be for 24 months (2 years) and thereafter shall be renewed annually;**
3. **Applicant shall adhere to all provisions of GLUC Resolution 2009-01 (Paragraphs 5B – F); and,**
4. **There will be no changes to the approved conditional use permit unless subject to ARC review and GLUC approval**



Marvin Q. Aguilar
Guam Chief Planner

7/31/2013

Date



John Z. Arroyo
Acting Chairman
Guam Land Use Commission

8/2/2013

Date

Case Planner: Penmer C. Gulac

Attachment(s): ARC Distribution List

Cc: Building Permits Section, DPW (Attn: Administrator)

NOTICE OF ACTION

BME & Sons, Inc.

Represented by FC Benavente Planners

Lot No. 5223-R9-3, Municipality of Barrigada

GLUC Meeting of July 25, 2013

Date of Preparation of NOA: July 25, 2013

Page ~~5~~ of ~~5~~ ⁴ ⁴ ⁸⁶

Application No. 1997-23B

CERTIFICATION OF UNDERSTANDING

I/We _____, Felix C. Benavente
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

The Commission may grant two (2) one-year extensions of the above approval period at the time of initial approval.

This requirement shall not apply for application for a Zone Change***

I/We, further **AGREE** and **ACCEPT** the conditions above as a part of the Notice of Action and further **AGREE TO ANY AND ALL CONDITIONS** made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

Signature of Applicant _____ Date _____
Signature of Representative Felix C. Benavente Date 8/5/2013

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

Applicant _____ Date _____
Representative Felix C. Benavente Date 8/7/2013



Office of the Mayor & Vice Mayor
124 Luayao Lane, Barrigada, Guam 96913

May 12, 2015

Chairman and Members
Guam Land Use Commission
Department of Land Management
Tamuning, Guam 96931

P. 601ar 5/14/11
RECEIVED
Planning Div

Re: Request for Annual Renewal of Conditional Use Permit to Operate Facility for Temporary Workers (HFTW) on Lot No. 5223-R9-3, Municipality of Barrigada, Guam for BME & Sons, Ref GLUC #1997-23B and Continuing Operations of a Contractor's yard on Lot 10, Tract 293 Mangilao.

Dear Mr. Chairman:

Buenas yan Hafa Adai! This is to inform you that Vice Mayor Jessie P. Bautista and I, together with the Barrigada Municipal Planning Council support the request for Annual Renewal of Conditional Use Permit to Operate Facility for Temporary Workers (HFTW) on Lot No. 5223-R9-3, Municipality of Barrigada, Guam for BME & Sons, Ref GLUC #1997-23B and Continuing Operations of a Contractor's yard on Lot 10, Tract 293 Mangilao.

Once again, our support demonstrates the Municipal Planning Council's agreement with the proposed use of the property by the current landowner, BME & Sons, Inc. The renewal request will contribute to the community as well as be of social benefit to all of the residents in the surrounding area.

More importantly, the Barrigada Municipal Planning Council exercising its rights and privileges to review all conditional land use requests involving real property within the its boundaries, does hereby support and endorse the request for annual renewal of Conditional Use Permit to Operate Facility for Temporary Workers (HFTW) on Lot No. 5223-R9-3, Municipality of Barrigada, Guam for BME & Sons, Ref GLUC #1997-23B and Continuing Operations of a Contractor's yard on Lot 10, Tract 293 Mangilao..

A formal MPC resolution will be forwarded to you once adopted by the Council.

Thank you and on behalf of BME and Sons, Inc., we look forward to the Commission's endorsement of their renewal request.

Sincerely,


JUNE U. BLAS
Mayor


JESSIE P. BAUTISTA
Vice Mayor

cc: Mr. Michael J.B. Borja
Executive Secretary
Guam Land Use Commission
Tamuning, Guam 96931



BME & SONS INC.

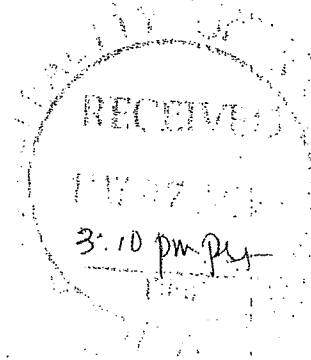
GENERAL CONTRACTOR & EQUIPMENT RENTAL

P.O. Box 24402, GMF, Barrigada, Guam 96921 * Tel: (671) 632-3338 * 637-5498 * Fax: (671) 632-3334
E-mail: bvm@bmesons.com

May 6, 2015

Mr. June U. Blas
Mayor of Barrigada

Subject: Request for Annual Renewal of Conditional Use Permit
To Operate Facility for Temporary Workers (HFTW) on
Lot 5223-R9-3, Municipality of Barrigada,
Guam for BME & Sons, Inc.; Ref GLUC #1997-23B



Hafa Adai Mr. Blas,

We wish to apply for renewal of our Conditional Use Permit to operate Housing Facility of Temporary Workers (HFTW) on Lot 5223-R-9-3, in the Municipality of Barrigada in an "M1" (Light Industrial) Zone. See attached notice of action.

We continue to adhere to the conditions by the Guam Land use Commission approve on July 25, 2013 which are still applicable, conditional use application no. 1997-23B;

We understand that pursuant to the guideline of Housing Facilities for Temporary Workers (HFTW), it is our responsibility to ensure that the annual renewal is done in accordance with the provisions of HFTW guidelines.

We hope for your usual kind attention of this request and for your favorable consideration.

Very truly yours,

Bernie V. Maranan
President

Attachment:
Notice of Action



BME & SONS INC.

GENERAL CONTRACTOR & EQUIPMENT RENTAL

P.O. Box 24402, GMF, Barrigada, Guam 96921 * Tel: (671) 632-3338 * 637-5498 * Fax: (671) 632-3334
E-mail: bvm@bmesons.com

May 6, 2015

Mr. Michael J. B. Borja
Director
Department of Land Management
Government of Guam
P. O. Box 2950
Hagatna, Guam 96932

Subject: Request for Annual Renewal of Conditional Use Permit
To Operate Facility for Temporary Workers (HFTW) on
Lot 5223-R9-3, Municipality of Barrigada,
Guam for BME & Sons, Inc.; Ref GLUC #1997-23B

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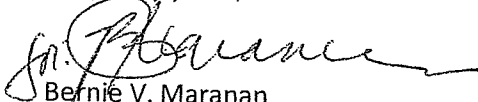
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Very truly yours,


Bernie V. Maranan
President

Attachment:
Notice of Action

*Rec'd, P. Glac
5/6/15
Land Planing*
RECEIVED

GUAM LAND USE COMMISSION
Department of Land Management

RESOLUTION 2009 - 01

*Establishing a Policy for the Approval of
Workforce Housing Facilities for Temporary Workers*

WHEREAS, the Department of Defense of the United States Government has indicated its intentions to significantly expand military activity on Guam and pursue a construction program which is anticipated to create a need for an extraordinary number of foreign construction and support workers; and

WHEREAS, these workers will require new housing facilities and related infrastructure; and

WHEREAS, in 1993 the Guam Land Use Commission ("GLUC") has previously implemented guidelines for the development of workforce housing, including barracks-type facilities, on Guam; and

WHEREAS, the GLUC recognizes that the planned military build-up establishes the need to further define the manner and conditions under which such workforce facilities can be approved; and

WHEREAS, Title 21 of the Guam Code Annotated, Chapter 61 Zoning law, Article 3, creates appropriate zones and 21 GCA §61309(a)(11) allows "Other uses which in the judgment of the Commission, as evidenced by a resolution in writing, are similar to those listed herein [for the M1 Zone]";

NOW, THEREFORE BE IT RESOLVED that, for purposes of establishing a clear policy for the approval of temporary workforce housing, the GLUC hereby adopts the following Policy:

1. The term "Temporary Workforce Housing" shall include any structure, either existing or proposed, intended to be occupied for the residential housing of six (6) or more employees within a single residential unit, apartment, house or barrack.

BME & SONS, INC.
PROJECT PROCESSING STATUS
4/29/2015

	Award Date	Completion Date	Contract No.	Contract Amount	Billed to Date	Unbilled Amount	% Complete
TO#74 RM1113139/1113140/1113141 Energy Projects - Retro Commissioning of Facilities	7/12/2013	11/2/2015	N40192-09-D-2702	7,810,181.22	5,003,842.82	2,806,338.40	64.07%
TO#76 WR7183755 Replace 12 inch Steel Water Pipe Navy Exchange (NEX) Furniture S	11/19/2013	4/15/2015	N40192-09-D-2702	369,684.38	364,223.13	5,461.25	98.52%
TO#77 WR7409113 Replace/Upgrade 10" C/ACP Sewerline to 14" Fusible PVC Sewerlin	4/2/2014	4/15/2015	N40192-09-D-2702	462,000.00	457,369.80	4,630.20	99.00%
GIAA-FY15-61327 Expansion Loop Replacement Delta Office	2/19/2015	2/28/2015		20,950.00	-	20,950.00	0.00%
GIAA FY14-04-1 TSA Recapitalization and Optimization Project	1/5/2015	1/17/2016	GIAA-15-0016	3,985,889.79	165,720.38	3,819,969.41	4.16%
GMHA Replacement of Two Cooling Towers	1/20/2015	3/26/2016		244,980.00	-	244,980.00	0.00%
GPT Rehabilitation of the Guam Legislature	4/17/2015			6,898,194.38	-	6,898,194.38	0.00%
ITC San Vitores Condo Bldg. E Unit 15 Renovation	2/9/2015	4/30/2015		15,000.00	12,000.00	3,000.00	80.00%
ITC Installation of Owner Furnished LED Lighting	1/8/2015	OPEN		67,970.00	64,720.00	3,250.00	95.22%
ITC Venue Demolition Work	2/5/2015	3/5/2015		35,541.00	35,541.00	-	100.00%
Macy's Expansion Shell Building & Parking Lots at Micronesia Shopping Mall Guam	12/19/2014	3/31/2016		5,500,000.00	-	5,500,000.00	0.00%
PAG CIP-014-005 Marine Service Life Extension Wharf Repair Project	6/23/2014	12/30/2015	PAG-CIP-014-005	4,655,593.00	1,364,703.67	3,290,889.33	29.31%
Construct Tumon Bay Mall (TBM) - Phase 1 Civil Works	12/19/2014	180 CD		3,345,923.12	-	3,345,923.12	0.00%
SUB TOTAL				33,411,406.89	7,488,120.80	25,943,286.09	

COMPLETED AND COLLECTED 2015							
TO#62 AJY113000 Replace Conventional Water Heaters and Inefficient Lighting, Ander	3/7/2012	1/2/2015	N40192-09-D-2702	1,398,888.54			
TO#75 RM1113119 Base Wide Exterior Lights Phase 1, Andersen Air Force Base, Guam	8/30/2013	12/3/2014	N40192-09-D-2702	1,473,950.93			
CEN-TAM BLDG.				45,559.00			
ELAINE ZABALA HOUSE EXTENSION	11/24/2014			15,000.00			
SUB TOTAL				2,933,398.47			

COMPLETED AND COLLECTED 2014							
TO#58 WR#C87LR Replace Nimlitz Hill Booster Pumps, Building 1181 Adelup, Guam	12/30/2011	6/30/2014	N40192-09-D-2702	388,013.37			
TO#61 RM#11-4441 Install Solar Water Heaters, Low Flow Fixtures, Various Locations, G	2/10/2012	3/24/2014	N40192-09-D-2702	793,457.00			
TO#64 WR#CF6GH Install Hardened Canopy Covers to Various Play Stations at CDC Bl	7/27/2012	8/13/2014	N40192-09-D-2702	339,340.56			
TO#67 WR#5448112 Repair and Modernization of B75 Naval Base Guam	9/20/2012	1/6/2014	N40192-09-D-2702	958,676.49			
TO#72 WR#5579860 (H-08-12) Correct Flooding Issue at House No. 2250B Safford Roa	9/22/2012	7/25/2014	N40192-09-D-2702	64,187.32			
Apolinario Mabini Monument	11/6/2014	12/6/2014		14,100.00			
GPA-011-13 Tumon Substation Transformer Capacity Upgrade	4/3/2013	4/7/2014	GPA-011-13	1,082,269.37			
GDOE IFB 018-2013 L.P. Untalan Middle School Renovation and Construction	7/29/2013	7/15/2014		6,955,634.80			
GIAA FY13-06-01 TSA Expansion CCO & Offices/Conference Rooms	8/12/2013	6/24/2014		426,170.65			
Goodwin - Replacement of Cantilever Platform	6/2/2014			30,188.83			
ITC Building Exterior Painting	11/6/2013	8/5/2014		289,131.23			
ITC - RE-COATING OF TENNIS FLOOR DECK	12/4/2014			16,000.00			

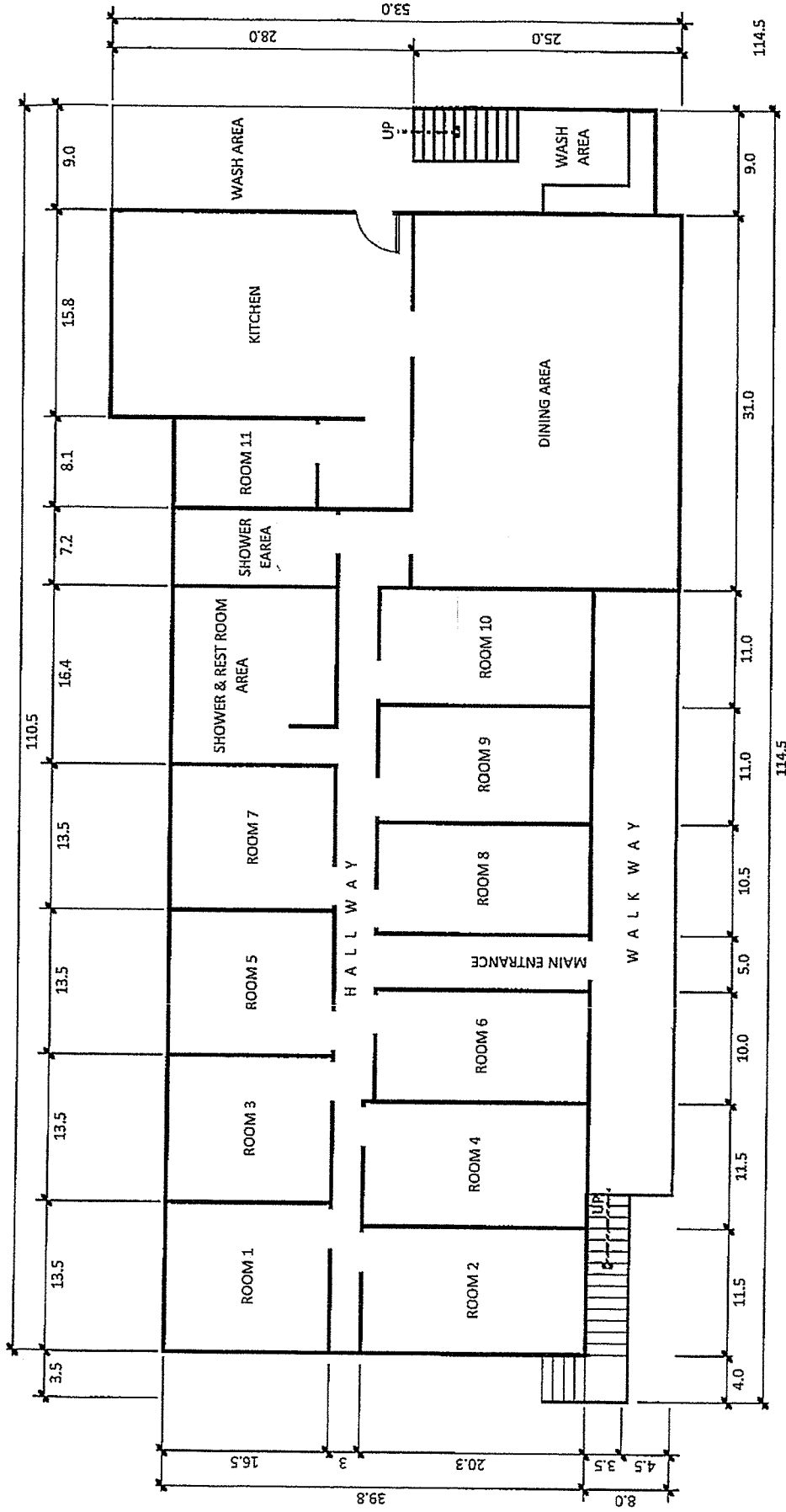
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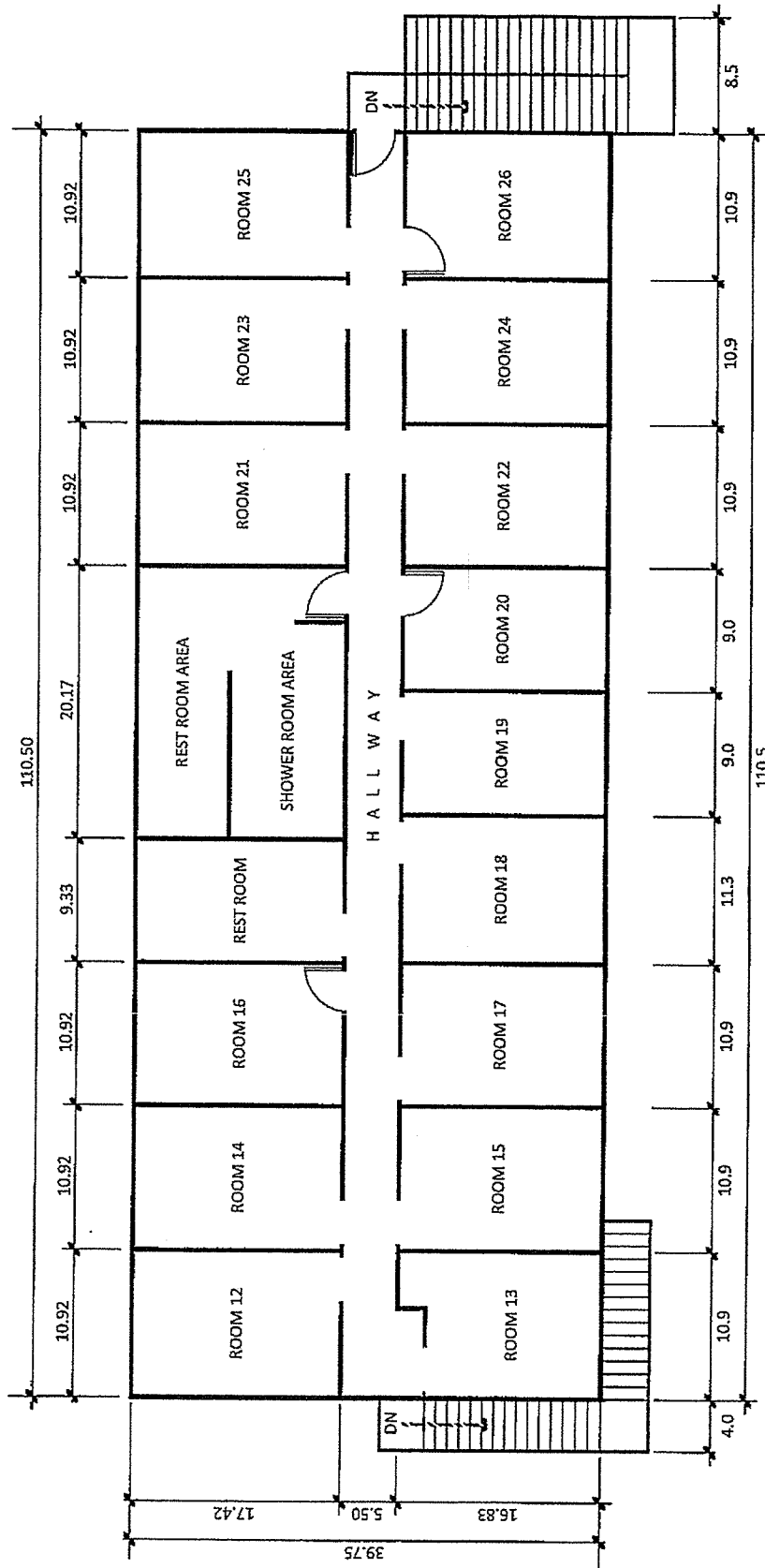
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Apolinario Mabini Monument	11/6/2014	12/6/2014		14,100.00			
GPA-011-13 Tumon Substation Transformer Capacity Upgrade	4/3/2013	4/7/2014	GPA-011-13	1,082,269.37			
GDOE IFB 018-2013 L.P. Untalan Middle School Renovation and Construction	7/29/2013	7/15/2014		6,955,634.80			
GIAA FY13-06-01 TSA Expansion CCO & Offices/Conference Rooms	8/12/2013	6/24/2014		426,170.65			
Goodwin - Replacement of Cantilever Platform	6/2/2014			30,188.83			
ITC Building Exterior Painting	11/6/2013	8/6/2014		289,131.23			
ITC - RE-COATING OF TENNIS FLOOR DECK	12/4/2014			16,000.00			

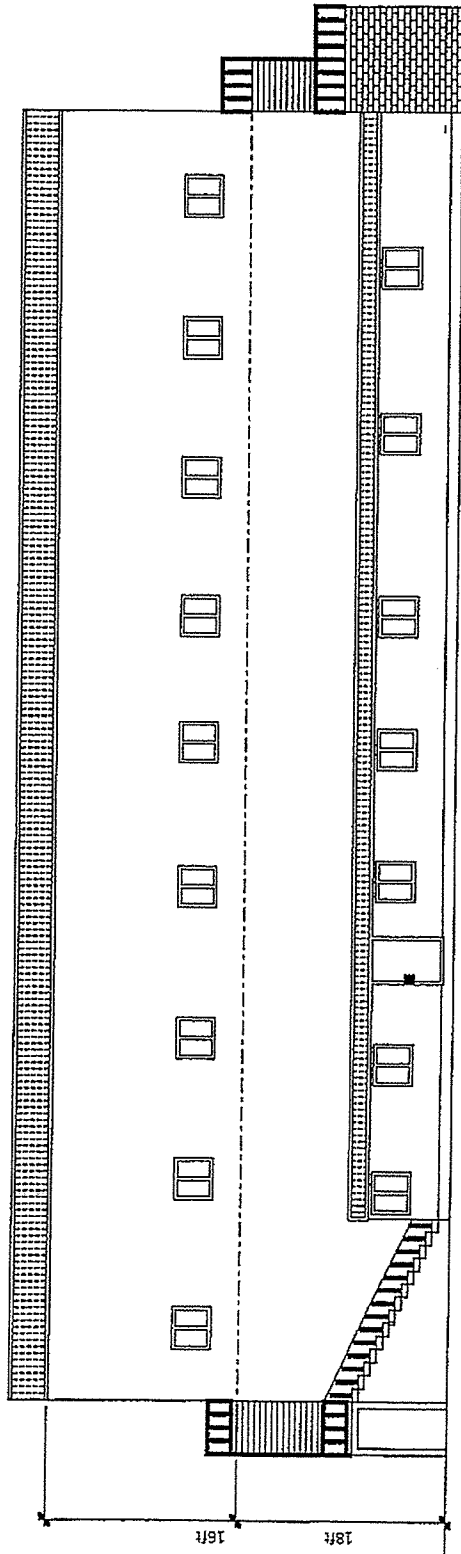
JR4F Exterior Painting of 10 Warehouses at Tamuning Industrial Park	2/17/2014	5/17/2014		81,960.00		
MEDPHARM WAREHOUSE	8/15/2014			75,455.31		
PAG CIP-013-001 Installation of the Motor Operated Valve at Golf Pier Fuel Pipeline	1/31/2013	9/23/2014	PAG CIP-013-001	424,990.46		
Polyphase - GPA Hagatna Substation (Sub-contract civil works)	9/20/2013	5/24/2014		194,012.22		
Sinajana Pharmacy	2/12/2014			73,866.30		
SRF Office Renovation	3/11/2014			534,437.00		
SRF - PMT Building Renovation	8/21/2014	9/21/2014		27,371.52		
SRF - Data Cable Installation	9/11/2014	10/11/2014		16,000.00		
UOG Design & Build for Air Conditioning Retrofits for CNAS Bldg. A&B	10/23/2012	8/8/2013	BC110533	1,400,000.00		
SUB TOTAL				14,185,252.43		



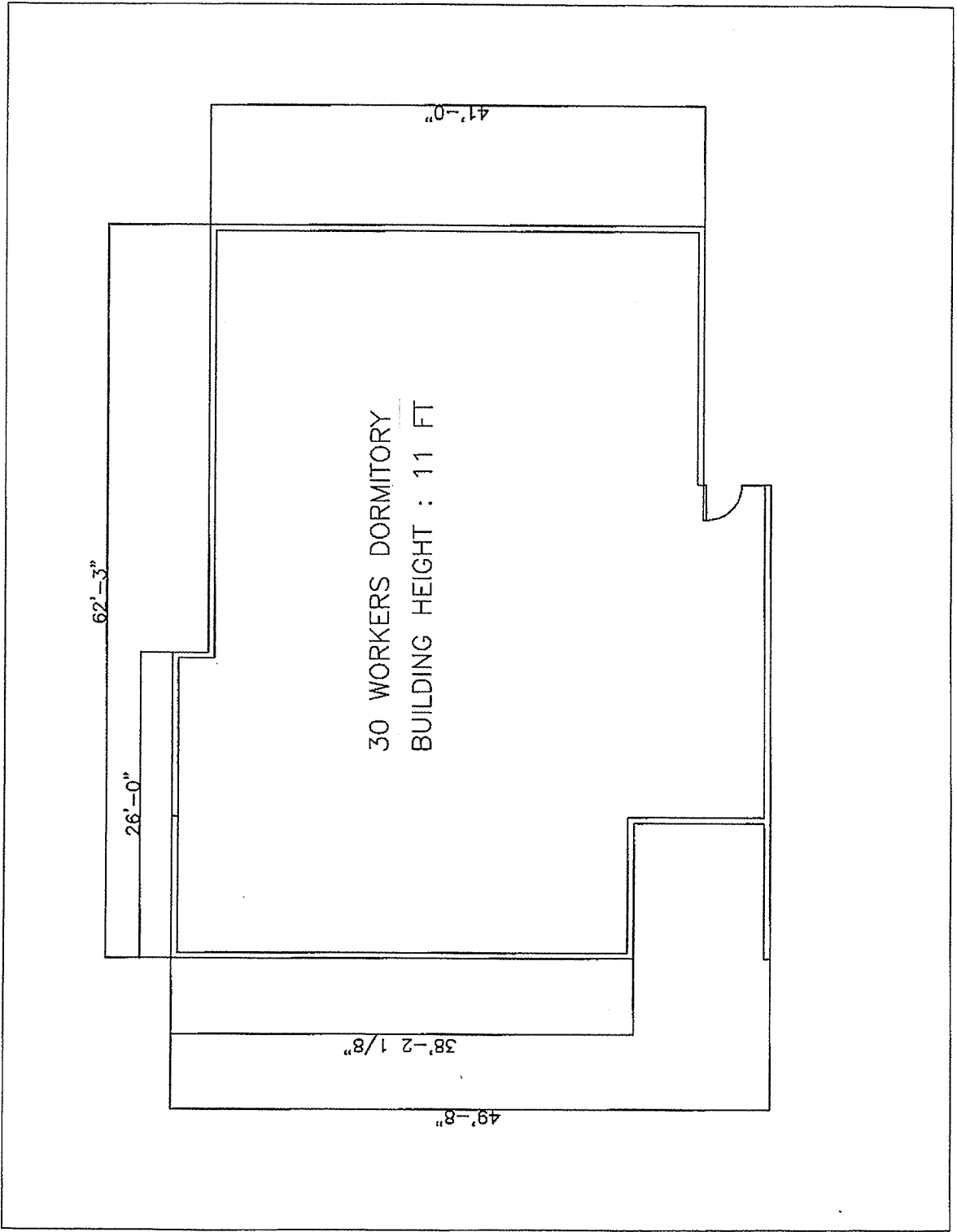
GROUND FLOOR PLAN OF BARRACKS

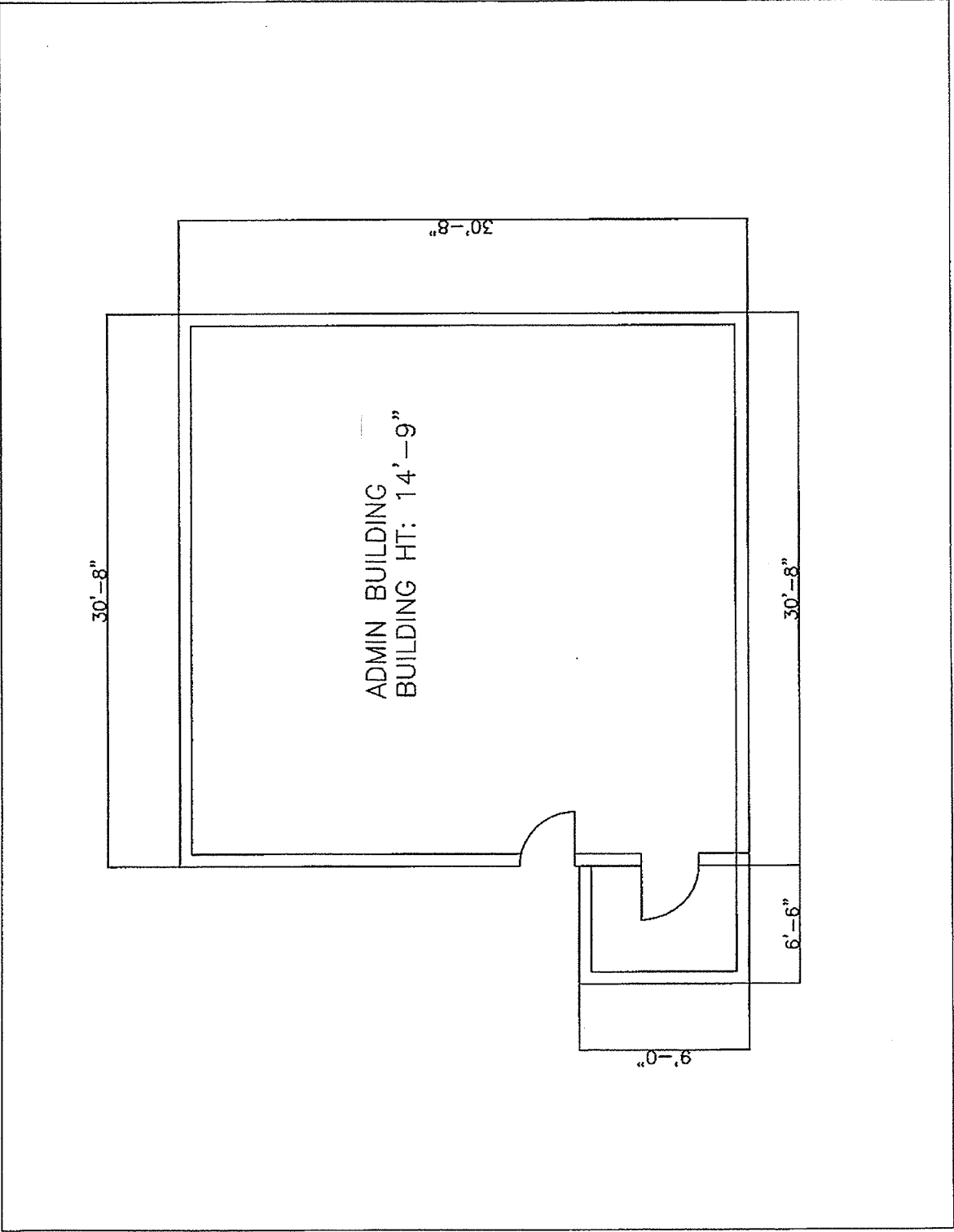


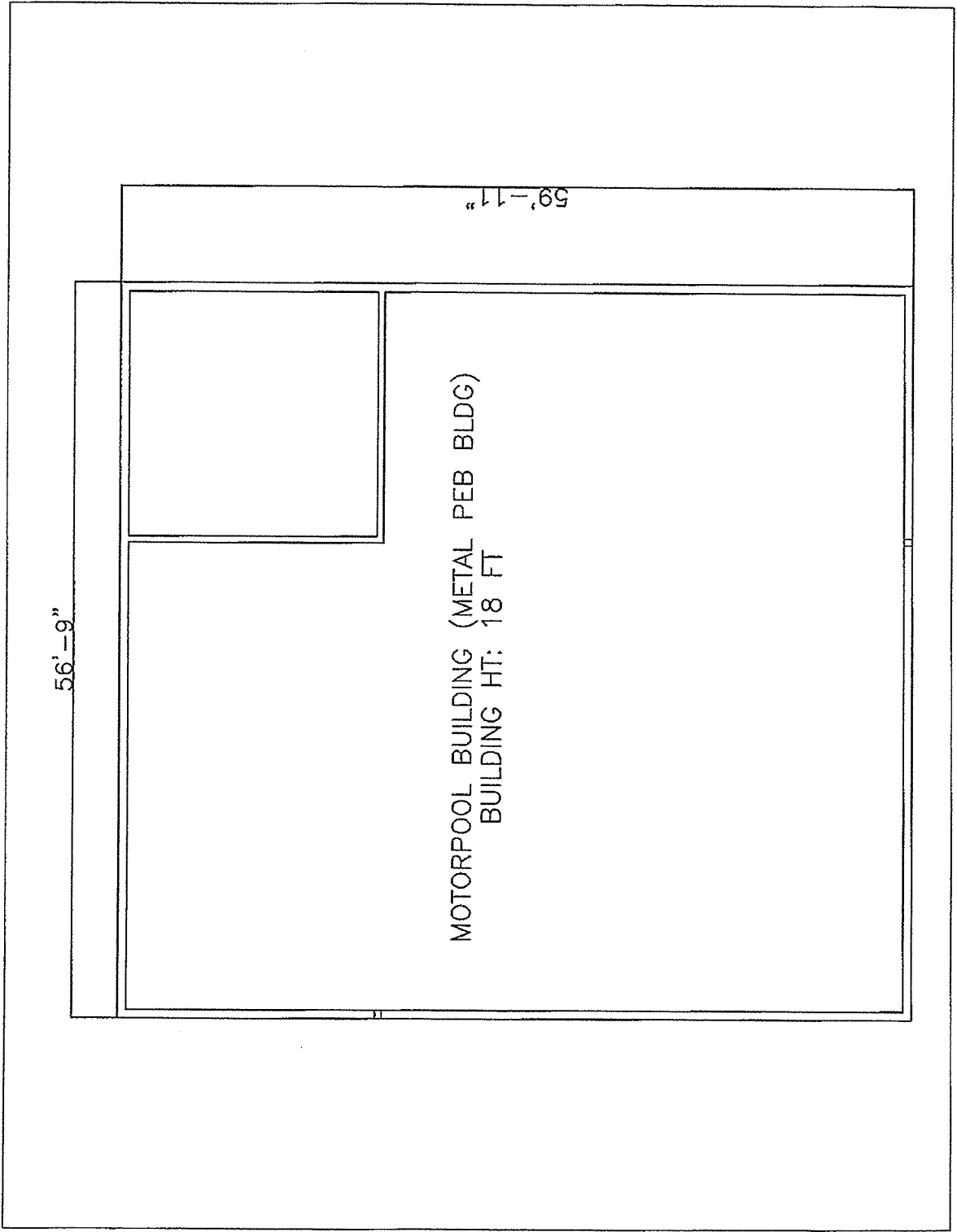
SECOND FLOOR PLAN OF BARRACKS



FRONT ELEVATION OF BME DORMITORY







EXHIBITS

1 thru 5



BME & SONS INC.

EXHIBITS 1 thru 4

GENERAL CONTRACTOR & EQUIPMENT RENTAL

P.O. Box 24402, GMF, Barrigada, GU 96921 * Tel: (671) 632-3338 * 637-5498 * Fax: (671) 632-3334
E-mail: bvm@bmesons.com

June 24, 2015

Mr. Lawrence S. Rivera, Chairman & Commissioners
Guam Land Use Commission
c/o Department of Land Management/Land Planning
Attn: Mr. Marvin Q. Aguilar, Chief Planner

RECEIVED
6/25/15 KB

Subject: Authorization of Representation
Ref: GLUC No. 1997-023C,
GLUC Meeting June 25, 2015

Hafa Adai Mr. Chairman & Commissioners:

This letter authorizes Danny Natividad, BME Chief Operations Officer/Safety Manager to act on my behalf in representing, discussing matters, answering questions pertaining to our request for our 1st year renewal of our Conditional Use for our Temporary Workers Housing Facility in Barrigada.

Your favorable consideration is greatly appreciated and should have questions please feel free to call me anytime.

Thank You Again.

Very Respectfully,


Bernie W. Maranan

President of BME & Sons, Inc.

Contact Nos. 632-3338/988-4421

08



BME & SONS INC.

GENERAL CONTRACTOR & EQUIPMENT RENTAL

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E-mail: bvm@bmesons.com

June 24, 2015

RECEIVED
6/25/15 KB

Mr. Lawrence S. Rivera, Chairman & Commissioners

Guam Land Use Commission

c/o Department of Land Management/Land Planning

Attn: Mr. Marvin Q. Aguilar, Chief Planner

Subject: Request for renewal and continuing operation of Temporary Workers Housing

Facility Lot 5223-R9-3, Barrigada, Guam; Ref. GLUC # 1997-023C

Hafa Adai Mr. Chairman & Commissioners:

I am Danny Natividad, Chief Operations Officer/Safety Manager of BME & Sons, Inc., I am here before you on behalf of Mr. Bernie V. Maranan, our company president.

Our company is here again before you and your good office informing you that our Temporary Workers Housing Facility on Lot 5223-R9-3 in Barrigada, was granted a Conditional Use approximately 2 years ago on July 25, 2013, the term is for 24 months and the first renewal period is due and will expire August 8, 2015.

BME & Sons, Inc., has continue to adhere to all GLUC imposed conditions on the Notice of Action and all ARC conditions as well as GLUC Resolution No. 2009-01 on Temporary Workers Housing Facilities guidelines and requirements. All other conditions are applicable reference to previously Approved Conditional Use Application No. 1997-23B, by the Guam Land Use Commission on the above subject lot in previous years noted in our application packet:

Our office and BME workers village are currently licensed to operate its activities on the subject lot, has complied to all conditions and requirements and have enhanced and improved the landscape of the property and has not negatively been detrimental to the immediate neighborhood and surrounding community since our approval. Our company's operation and activities and projects in local and federal have increased more in recent years and hired more local and contract workers/employees to support on-going community and military projects around the island. We have supported our local municipal mayors and government civic action projects, island-wide beautification projects, community parks, contributed our services to many non-profit groups and organization. Guam is our home and our company will continue to support in improving a stronger island economy and prosperity for our people.

q



BME & SONS INC.

GENERAL CONTRACTOR & EQUIPMENT RENTAL

P.O. Box 24402, GMF, Barrigada, GU 96921 * Tel: (671) 632-3338 * 637-5498 * Fax: (671) 632-3334
E-mail: bvm@bmesons.com

Page 2; Letter to GLUC, Chairman & Commissioners, (Renewal of Temporary Workers Housing Facility) Lot 5223-R9-3, Barrigada

June 24, 2015

BME is proactive in the management and operation of our facility and ensure that we comply will all requirements, licenses, permits, medical support, recreation and transportation as well as the safety of our workers residing in the barracks/facility. We keep the facility clean and just recently passed our public health inspection. Our dormitory and sanitary permits will be issued by public health officials by the end of the month, this is due to department administrative back log of permit renewals.

In light of the above, we will continue be pro-active in managing our business activities, projects, and contracting for future projects for our company. We are further requesting your favorable consideration for the renewal of our request for continuance of operations with our temporary workers housing facility.

Please be advised that letters of support have been requested from Barrigada Mayor's and we are grateful to inform the commission, that the Mayor is supporting our request which is provided (letter) in your information packet. We will continue to work closely with all agencies and comply to all requirements of the Application Review Committee, Guam Land Use Commission requirements and imposed conditions well as the Guam Chief Planner and Land Management Planning Staff.

Should have questions, I will do my best to provide acceptable answers.

Thank You Again.

Very Respectfully,

Danny Natividad

Chief Operations Officer

of BME & Sons, Inc.

Contact Nos. 632-3338/988-4421

Attachments; Mayor's Support Letters

BARRIGADA

Office of the Mayor & Vice Mayor
124 Luayao Lane, Barrigada, Guam 96913

May 12, 2015

Chairman and Members
Guam Land Use Commission
Department of Land Management
Tamuning, Guam 96931

Re: Request for Annual Renewal of Conditional Use Permit to Operate Facility for Temporary Workers (HFTW) on Lot No. 5223-R9-3, Municipality of Barrigada, Guam for BME & Sons, Ref GLUC #1997-23B and Continuing Operations of a Contractor's yard on Lot 10, Tract 293 Mangilao.

Dear Mr. Chairman:

Buenas yam Hafu Adai! This is to inform you that Vice Mayor Jessie P. Bautista and I, together with the Barrigada Municipal Planning Council support the request for Annual Renewal of Conditional Use Permit to Operate Facility for Temporary Workers (HFTW) on Lot No. 5223-R9-3, Municipality of Barrigada, Guam for BME & Sons, Ref GLUC #1997-23B and Continuing Operations of a Contractor's yard on Lot 10, Tract 293 Mangilao.

Once again, our support demonstrates the Municipal Planning Council's agreement with the proposed use of the property by the current landowner, BME & Sons, Inc. The renewal request will contribute to the community as well as be of social benefit to all of the residents in the surrounding area.

More importantly, the Barrigada Municipal Planning Council exercising its rights and privileges to review all conditional land use requests involving real property within its boundaries, does hereby support and endorse the request for annual renewal of Conditional Use Permit to Operate Facility for Temporary Workers (HFTW) on Lot No. 5223-R9-3, Municipality of Barrigada, Guam for BME & Sons, Ref GLUC #1997-23B and Continuing Operations of a Contractor's yard on Lot 10, Tract 293 Mangilao.

A formal MPC resolution will be forwarded to you once adopted by the Council.

Thank you and on behalf of BME and Sons, Inc., we look forward to the Commission's endorsement of their renewal request.

Sincerely,


JUNE U. BLAS
Mayor


JESSIE P. BAUTISTA
Vice Mayor

cc: Mr. Michael J.B. Borja
Executive Secretary
Guam Land Use Commission
Tamuning, Guam 96931



BME & SONS INC.

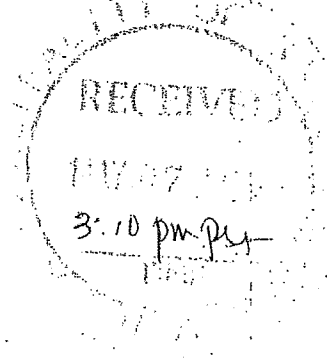
GENERAL CONTRACTOR & EQUIPMENT RENTAL

P.O. Box 24402, GMF, Barrigada, Guam 96921 * Tel: (671) 632-3338 * 637-5498 * Fax: (671) 632-3334
E-mail: bvm@bmesons.com

May 6, 2015

Mr. June U. Blas
Mayor of Barrigada

Subject: Request for Annual Renewal of Conditional Use Permit
To Operate Facility for Temporary Workers (HFTW) on
Lot 5223-R9-3, Municipality of Barrigada,
Guam for BME & Sons, Inc.; Ref GLUC #1997-23B



Hafa Adai Mr. Blas,

We wish to apply for renewal of our Conditional Use Permit to operate Housing Facility of Temporary Workers (HFTW) on Lot 5223-R-9-3, in the Municipality of Barrigada in an "M1" (Light Industrial) Zone. See attached notice of action.

We continue to adhere to the conditions by the Guam Land use Commission approve on July 25, 2013 which are still applicable, conditional use application no. 1997-23B;

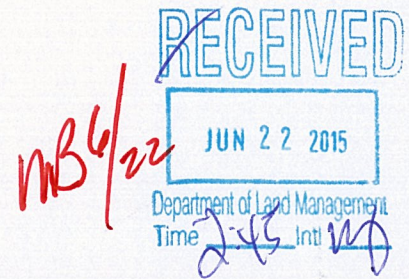
We understand that pursuant to the guideline of Housing Facilities for Temporary Workers (HFTW), it is our responsibility to ensure that the annual renewal is done in accordance with the provisions of HFTW guidelines.

We hope for your usual kind attention of this request and for your favorable consideration.

Very truly yours,

Bernie V. Maranan
President

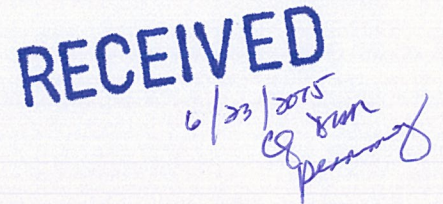
Attachment:
Notice of Action



Fujita Property Guam Inc. P.O. Box 8676 Tamuning, Guam 96931 Phone: (671) 646-6825 Fax: (671) 646-7635

June 22, 2015

Mr. Michael J.B. Borja
Executive Secretary, Guam Land Use Commission
Director, Department of Land Management
590 S. Marine Corps Drive, Suite 733
Tamuning, Guam 96913



RE: Request for Parking Information

Dear Mr. Borja:

Thank you for your letter dated June 16, 2015 in regards to the Guam Land Use Commission's (CLUC) interest in the ITC Buildings parking situation. The attached summary applies the latest codes applicable to parking at ITC; however, since it was built in 1974, subsection (a) under the General Requirements applies. We are currently working with the Office of the Attorney General and Department of Administration to asphalt and enclose lot 5, which we have usage rights for the next 3 years. In addition, we are working on an ADA Audit with both our Civil Engineers and Mr. Benito S. Servino, Director of Department of Integrated Services for Individuals with Disabilities. Mr. Servino has even suggested that the ITC Building be featured in their Anniversary event this year as a prime example on Guam of a building that is working towards ADA compliance.

If you have any questions regarding this matter, please contact Elaine S. Zabala, at 646-6825/6.

Sincerely,

A handwritten signature in blue ink that appears to read "Lars Hellmont".
Lars Hellmont
Co-Owner

C: Elaine S. Zabala
Marvin Aguilar

ITC BUILDING PARKING SUMMARY

1 RESTAURANTS (1 parking space per 100 sf per customer area)

Tenant	Percentage of Guest Area	Square Footage	Parking Stalls
House of Brutus	70%	1575	16
Pho Noodle House	90%	781	8
Mocha Joe Café	80%	575	6
		TOTAL	30

2 RETAIL (1 parking space per 100 sf)

Tenant	Square Footage	Parking Stalls
Horizon Travel Center	500	5
Agahan Optical	500	5
Young Brothers	631	7
House of Ginza	1250	12
Bank of Guam	3267	33
Nanbo Insurance	631	6
	TOTAL	68

3 DOCTOR CLINICS/LABORATORY (5 parking spaces per Practitioner)

Tenant	Required Stalls	Parking Stalls
Dr. Kobayashi	1	5
ITC Clinic	3	15
Hafa Adai Family Dental, P.C.	2	10
Diagnostic Laboratory Services, Inc.	2	10
	TOTAL	40

4 PROFESSIONAL OFFICES (1 parking space per 400 sf)

Tenant	Square Footage	Parking Stalls
Guam Police Department	7080	18
Office of the Attorney General	41,830	105
GEDA/Guam Housing Corporation	14,528	37
DLM/CLTC	27,450	68
Department of Administration	20,296	51
Consulates (Japan, Philippines, Palau, FSM)	14,904	38
Make-A-Wish Foundation	720	2
Special Olympics Guam	544	2
Vital Energy, Inc.	741	2
Nippon Travel Agency	2,185	6
TMOAR	688	2
Micronesia Assistance Inc.	1,168	3
Swan Ballet Center	1,168	3
Parsons Transportation Group	4,656	12
PMT Corporation	6,597	17
Parsons Brinckerhoff	3,364	9
Micros-Fidelio	2,401	6
Fujita Property Guam, Inc	913	3
	TOTAL	384

GRAND TOTAL 522

A discussion was held on June 23, 2015 with the personnel of Fujita Property Guam, Inc., regarding the Building Parking Inventory/Summary for the ITC building. The following information was received in response to the request for clarification.

The page titled "ITC BUILDING PARKING SUMMARY" identifies the number of parking stalls **required by law** for each of the various categories of uses present in the ITC building. These include: restaurants, retail space, doctor clinics/labs and professional offices. The number of stall required depends on criteria set forth in GCA 21 CH 61. In reviewing these numbers, no discrepancies were found. Given this information, the grand total of parking stalls required for all tenants of the ITC building is 522.

The page titled "ITC BUILDING PARKING STALL INVENTORY" identifies the actual number of stalls **physically existing** by parking area (ie. 1st floor- East side, 3rd floor-West side, etc.). The total of regular spaces is shown to be 670. The total of ADA spaces is 20. The total in Lot 5 is 118. Thus, the grand total number of parking stalls at the ITC Building is given to be 808. From this survey, it can be concluded that the number of available parking spaces exceeds the number required by law by 286 spaces.

However, upon closer examination of the parking layout diagrams and counting of spaces shown, different totals were found in some of the space categories. Number in yellow are from a review count while the numbers below these in parentheses are from the information provided by Fujita:

	EAST SIDE		WEST SIDE		SOUTH SIDE		OUTSIDE PARKING	
	Regular	ADA	Regular	ADA	Regular	ADA	Regular	ADA
1 st floor	58 (57)	4 (6)	57 (53)	0	0	0	0	0
2 nd floor	74	2	73 (75)	4	0	0	0	0
3 rd floor	65 (58)	1 (3)	89	10 (5)	0	0	0	0
3 rd floor	0	0	0	0	12	0	0	0
Public	0	0	0	0	0	0	250-252	0
TOTAL	197	7	219	14	12	0	250-252	0
*GRAND TOTAL		699-701 depending on actual number of public parking spaces						

*This chart does not include Lot 5 which was confirmed to have an additional 118 parking stalls

Based on this review, the difference in number of spaces is small; there may be around 10 extra parking stalls physically existing than were presented in the Fujita findings. However, the conclusion remains that the ITC building is not only in compliance with required number of parking stalls, but actually has an excess of available parking.

ITC BUILDING PARKING STALL INVENTORY

	EAST SIDE		WEST SIDE		SOUTH SIDE		OUTSIDE PARKING	
	Regular Stalls	Handicap Stalls	Regular Stalls	Handicap Stalls	Regular Stalls	Handicap Stalls	Regular Stalls	Handicap Stalls
1st Floor	57	6	53	0	0	0	0	0
2nd Floor	74	2	75	4	0	0	0	0
3rd Floor	58	3	89	5	0	0	0	0
3rd Floor	0	0	0	0	12	0	0	0
Public Parking	0	0	0	0	0	0	252	0
TOTAL:	<u>189</u>	<u>11</u>	<u>217</u>	<u>9</u>	<u>12</u>	<u>0</u>	<u>252</u>	<u>0</u>

Total Regular: 670
 Total Handicap: 20
 Lot 5: 118
 ITC BLDG. TOTAL PARKING: 808



SUBJECT LOT

CONWOOD
HARDWARE
STORE

DEPARTMENT OF
REV & TAX